

State of Colorado



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State Personnel Board

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PROPOSED STATEMENT OF BASIS AND PURPOSE

The Colorado State Personnel Board proposes to repeal all of its current rules found at 4 CCR 801, and to adopt new permanent rules at a rulemaking hearing to be held on April 13 and 14, 2005, in conjunction with the State Personnel Director. The purpose of this rulemaking is to adopt a set of rules that, when read in conjunction with the administrative procedures to the adopted by the State Personnel Director, eliminates obsolete dates, redundancies and ambiguities, and conforms to statutory changes that will be effective July 1, 2005.

The Board will consider repeal of its current rules, and adopting new permanent rules that address the following:

- Introduction—outlining the purpose and goals of the adopted rules, along with effective dates;
- Organization, Responsibilities, Ethics, and Definitions—including rules concerning the Board, appointing authority, employee activities, records, human resource innovation programs, and definitions;
- Jobs—including rules concerning job evaluation system and Senior Executive Service;
- Employment and Status—including rules concerning general principles, recruitment, methods, employment lists, and employment status;
- Performance—including rules concerning general principles, performance management, and corrective and disciplinary actions;
- Separation—including rules concerning general principles, resignation, layoff principles, notice requirements, retention areas, determining priorities for layoff and retention rights, retention rights, and record-keeping;

- Dispute Resolution—including rules concerning general principles, notice of rights, grievance process, alternative dispute resolution, declaratory orders, investigation of retaliation for disclosure of information, allegations of discrimination, attorney fees and costs, general appeal process, discretionary Board hearings, Board appeals, preparation for Board hearings, Board review of initial determinations, and security; and
- Fair Employment Practices—including rules concerning general principles, discrimination, and diversity plan.

The specific authority of the State Personnel Board to promulgate these rules is found at Article XII, sections 13 and 14 of the Colorado Constitution; the State Personnel System Act, section 24-50-101, *et seq.*, C.R.S.; section 24-50.5-101, *et seq.* C.R.S.; sections 24-4-103, 105 and 106, C.R.S.; and *CAPE v. Lamm*, 677 P.2d 1350 (Colo. 1984).